

**MINUTES**  
**REGULAR MEETING OF THE CITY COUNCIL**  
**CITY OF MEMPHIS**  
**June 8, 2010**

**3:30 P.M. SCHEDULED SESSION**

**3:33 P.M. MEETING COMMENCED**

**ROLL CALL:** Joe Brown, William Boyd, Kemp Conrad, Shea Flinn, Edmund Ford, Jr., Janis Fullilove, Wanda Halbert, Reid Hedgepeth, Myron Lowery, Bill Morrison, Jim Strickland, Barbara Swearengen Ware and Chairman Harold Collins.

**THE MEETING WAS CALLED TO ORDER  
BY SERGEANT-AT-ARMS**

**INVOCATION**

The meeting was opened with prayer by Rev. James Henderson from Zoe Baptist Church. Councilwoman Fullilove presented Rev. Henderson with a certificate naming him Chaplain of the day.

**These minutes record the agenda items and the action taken by the Council on such items. The full text of the original of the ordinances, resolutions and supporting documents, including an audio recording of Council's deliberations are filed and maintained in the office of Council Records/Records Management, Room 2B-08. The original ordinances and/or resolutions adopted by the Council shall control in the event of any conflict between the description in these minutes and the original documents, ordinances and/or resolutions.**

**MINUTES**

Approval of the Minutes of the regular meeting of May 25, 2010 with the following motion:

**MOTION:** Ford  
**SECOND:** Flinn  
**AYES:** Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware and Chairman Collins  
Hedgepeth did not cast a vote

**APPROVED**

23. **RESOLUTION ESTABLISHING THE MEMPHIS LIGHT GAS AND WATER DIVISION IN LIEU-OF-TAX PAYMENT TO THE CITY OF MEMPHIS FOR FISCAL YEAR 2011.**

Held to June 22, 2010

1. **RESOLUTION THANKING JEFF SANFORD FOR HIS SERVICE TO THE CENTER CITY COMMISSION.**

MOTION: Boyd

SECOND: Ware

**APPROVED**, by unanimous voice vote

48. **RESOLUTION APPROVING A LINE OF DUTY DEATH BENEFIT TO THE SPOUSE AND LEGAL DEPENDENTS OF FIREFIGHTER DAVID O'CONNOR.**

MOTION: Strickland

SECOND: Fullilove

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

**APPROVED**

47. **RESOLUTION CONGRATULATING LE BONHEUR CHILDREN'S HOSPITAL ON THE OPENING OF THEIR NEW PATIENT FACILITY.**

MOTION: Collins

SECOND: Fullilove

**APPROVED**, by unanimous voice vote

2. **RESOLUTION AUTHORIZING THE APPLICATION TO THE FEDERAL FOREIGN-TRADE ZONES BOARD FOR EXPANSION AND REORGANIZATION OF THE MEMPHIS FOREIGN-TRADE ZONE NUMBER 77 UNDER THE ALTERNATIVE SITE FRAMEWORK TO INCLUDE THE CITY OF MEMPHIS, SHELBY COUNTY AND SEVEN (7) COUNTIES IN WEST TENNESSEE. THE CITY OF MEMPHIS IS THE DESIGNATED GRANTEE OF FOREIGN-TRADE ZONE NUMBER 77. RESOLUTION FURTHER AUTHORIZES THE MAYOR OF THE CITY OF MEMPHIS TO EXECUTE ALL DOCUMENTS NECESSARY FOR THE SUBMISSION OF THE ALTERNATIVE SITE FRAMEWORK APPLICATION.**

MOTION: Conrad

SECOND: Hedgepeth

AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

**APPROVED****3. RESOLUTION APPROVING A HOTEL WAIVER FOR WELCOME INN, LOCATED AT 5225 SUMMER AVENUE.**

Case No. HMW 10-04

MOTION: Fullilove – Mr. Patel will contact the Memphis Police Department within six months. Memphis Police Department will inform Council of findings and report them the Office of Planning and Development

SECOND: Hedgepeth

**APPROVED**, without objection

MAIN MOTION: Ford

SECOND: Fullilove

AYES: Boyd, Brown, Conrad, Flinn, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

NAYS: Ford

**APPROVED**, as amended**4. RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE SOUTH SIDE OF POPLAR AVENUE; +/-433 FEET WEST OF COLONIAL ROAD, CONTAINING 2.357 SQ. FT. OF 0.29 ACRE (12,632 SQ. FT.) IN THE HIGHWAY COMMERCIAL (C-H) DISTRICT.**

Case No. SUP 10-215

Applicants: Tower Ventures V, LLC

Request: Special use permit to allow a cellular communications tower one-hundred forty-five (145) feet in height of concealed canister monopole design with capacity to accommodate a maximum of four (4) antennae

LUCB and OPD recommendation: APPROVAL, with conditions

**No Opposition at LUCB; No Public Hearing Required**

MOTION: Ford

SECOND: Fullilove

AYES: Boyd, Brown, Conrad, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins  
Flinn recused

**APPROVED**, as amended

45. **RESOLUTION APPROVING A SPECIAL USE PERMIT LOCATED ON THE WEST SIDE OF N. THOMAS STREET; +/-98 FEET NORTH OF T.M. HENDERSON AVENUE, CONTAINING 0.85 ACRE (37,026 SQ. FT.), IN THE MIXED-USE (MU) DISTRICT.**

Case No. SUP 10-212

Applicants: House of Knowledge Childcare, Inc.  
Carmichael Johnson – Representative

Request: Special use permit to allow a day care center

LUCB and OPD recommendation: APPROVAL, with conditions

**No Opposition at LUCB; No Public Hearing Required**

MOTION: Ford  
SECOND: Strickland  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

**APPROVED**

**Mayor Wharton spoke to the Council regarding the budget**

24. **RESOLUTION APPROVING THE CAPITAL ACQUISITION BUDGET AND THE CAPITAL IMPROVEMENT PROGRAM FOR FISCAL YEARS 2011-2015.**

**Councilman Flinn stated that he's moving the budget in unamended form**

MOTION: Flinn  
SECOND: Hedgepeth

**Councilman Flinn turned the floor over to Director Roland McElrath who read the following CIP amendments into the record:**

**Delete Port Commission Project  
Add 2.5 million for Fairgrounds Public Greenspace Project  
5 million to establish an Economic Development Program**

MOTION: Flinn – Hold for 2 weeks - 5 million for Economic Development Program  
SECOND: Conrad

**Friendly Amendment:** Prior to any expenditure, that we bring the project with the backup information, back to Council before we proceed further. If we don't expend it we could use it toward the bond and indebtedness

MOTION: Boyd

**Councilman Flinn did not accept Councilman Boyd's Friendly Amendment**

**MOTION WITHDRAWN**

**Councilwoman Ware asked Councilman Strickland if he would accept Councilman Boyd's Friendly Amendment. Councilman Strickland did not accept Councilman Boyd's Friendly Amendment**

MOTION: Strickland – Remove the 5 million Economic Development Program  
SECOND: Conrad  
AYES: Conrad and Strickland  
NAYS: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Ware and Chairman Collins

**FAILED**

MAIN MOTION: Morrison  
SECOND: Boyd  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Ware and Chairman Collins  
NAYS: Conrad and Strickland

**APPROVED**, as amended

**3 MINUTE RECESS TAKEN**

29. **ORDINANCE AMENDING CHAPTER 15, SECTION 15-12, CITY OF MEMPHIS CODE OF ORDINANCES, TO INCREASE SOLID WASTE FEES FOR COLLECTION AND DISPOSAL, ADD A CART LEASING OPTION AND REVISE THE DESCRIPTION OF THE RESIDENTIAL AND COMMERCIAL BUSINESS CATEGORIES, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5354

Chairman Collins recognized the following person who spoke from the audience:

Karen Spencer-McGee, 1195 Willie Mitchell, Mphs, TN 38106

MOTION: Collins – Offer \$4.50 increase that will expire in FY 2014, then the fee will be reduced to \$22.80  
SECOND: Fullilove

**Friendly Amendment:** On an annual basis, review the increase and determine whether it should be increased, decreased or remain the same

MOTION: Lowery

**Councilman Collins accepted Councilman Lowery's Friendly Amendment**

AYES: Brown, Ford, Fullilove, Halbert, Lowery, Morrison, Ware and  
Chairman Collins

NAYS: Boyd, Conrad, Flinn, Hedgepeth and Strickland

**APPROVED**

MAIN MOTION: Hedgepeth

SECOND: Boyd

AYES: Brown, Ford, Fullilove, Halbert, Lowery, Morrison, Ware and Chairman  
Collins

NAYS: Boyd, Conrad, Flinn, Hedgepeth and Strickland

**APPROVED**, as amended

51. **AMENDATORY BOND RESOLUTION TO AMEND CERTAIN PROVISIONS OF THE  
CAPITAL PROJECTS BOND RESOLUTION ADOPTED BY THE COUNCIL ON MAY  
11, 2010 AND THE BOND REFUNDING RESOLUTION ADOPTED ON MAY 25, 2010.**

MOTION: Morrison

SECOND: Ford

AYES: Boyd, Brown, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Ware  
and Chairman Collins

NAYS: Conrad, Flinn and Strickland

**APPROVED**

30. **ORDINANCE AMENDING CHAPTER 15, SECTION 15-7, CITY OF MEMPHIS CODE  
OF ORDINANCES, TO REVISE LANGUAGE REGARDING CITY ISSUED CARTS  
AND USE OF PERSONAL CONTAINERS, UP FOR T H I R D AND F I N A L  
READING.**

Ordinance No. 5355

MOTION: Hedgepeth

SECOND: Boyd

AYES: Boyd, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland,  
Ware and Chairman Collins

NAYS: Conrad  
Brown did not cast a vote

**APPROVED**

31. **ORDINANCE AMENDING CHAPTER 33, CITY OF MEMPHIS CODE OF  
ORDINANCES, TO INCREASE SEWER FEES, UP FOR T H I R D AND F I N A L  
READING.**

## Ordinance No. 5356

Chairman Collins recognized the following person who spoke from the audience:

Dexter Muller, 22 N. Front St., Mphs, TN 38103

MOTION: Hedgepeth  
SECOND: Ford  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins

**APPROVED**

40. **RESOLUTION ADJUSTING ADDITIONAL TREATMENT CHARGE FOR CITY OF MEMPHIS SEWER FEES.** (Held from 5/11)

MOTION: Hedgepeth  
SECOND: Ford  
AYES: Boyd, Brown, Conrad, Flinn, Ford, Fullilove, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins  
NAYS: Halbert

**APPROVED**

25. **RESOLUTION DIRECTING THE CITY TREASURER TO PREPARE TAX BILLS FOR THE VARIOUS UTILITIES AND CARRIERS UTILIZING THE LAST CERTIFIED ASSESSMENT AVAILABLE AS OF JUNE 30, 2010.**

MOTION: Morrison  
SECOND: Boyd  
AYES: Boyd, Brown, Conrad, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Strickland, Ware and Chairman Collins  
NAYS: Flinn

**APPROVED**

27. **ORDINANCE ESTABLISHING THE FISCAL YEAR 2011 OPERATING BUDGET FOR THE CITY OF MEMPHIS, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5360

ORDINANCE to appropriate the proceeds of the tax levy on the assessed values on all properties of every species within the city limits for general purposes for the Fiscal Year July 1, 2010, through June 30, 2011.

MOTION: Morrison  
SECOND: Ford

AYES: Boyd, Brown, Ford, Fullilove, Halbert, Lowery, Morrison, Ware and Chairman Collins  
NAYS: Flinn, Hedgepeth and Strickland

**APPROVED**, as amended

28. **ORDINANCE FIXING THE TAX RATE OF THE CITY OF MEMPHIS FOR FISCAL YEAR 2011, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5361

MOTION: Morrison – Substitute Ordinance No. 5361  
SECOND: Ford  
AYES: Boyd, Brown, Ford, Fullilove, Halbert, Hedgepeth, Lowery, Morrison, Ware and Chairman Collins  
NAYS: Flinn and Strickland  
Conrad did not cast a vote

**APPROVED**, as amended

**2 MINUTE RECESS TAKEN**

26. **RESOLUTION APPROVING THE FY 2011 BUDGET FOR THE CENTER CITY COMMISSION.**

MOTION: Morrison  
SECOND: Fullilove  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland and Chairman Collins  
Conrad, Hedgepeth and Ware did not cast a vote

**APPROVED**

**CONSENT AGENDA – Items 5–7, 49 & 50, may be acted upon by one motion: SEE PAGE 1516 FOR ROLL CALL**

5. **ORDINANCE PROHIBITING UNFAIR DISCRIMINATION IN CITY HIRING POLICIES AGAINST PERSONS PREVIOUSLY CONVICTED, UP FOR S E C O N D READING.**

Ordinance No. 5363

**APPROVED**, on Second reading

6. **ORDINANCE REZONING THE WESTWARD SIDE OF JACKSON AVE., OPPOSITE AND 140 FT. SOUTHWESTWARDLY FROM THE INTERSECTION OF HEMINGWAY AVE., CONTAINING 0.227 ACRE IN THE GENERAL OFFICE (O-G) DISTRICT, UP FOR F I R S T READING.**



Case No. Z 10-105  
Ordinance No. 5364

**APPROVED**, on First reading

7. **RESOLUTION APPROVING CONTRACT TIME EXTENSION FOR HILL & FONTAINE BROOK AVENUE SUBDIVISION, RESUBDIVISION OF PART OF LOT 41.**

Case No. S 06-038  
(Contract No. CR-5064)

Resolution approves the extension of time from June 17, 2004 to June 9, 2011, for the project located at the northeast corner of Elvis Presley Blvd and Brooks Road.

City Engineer recommends approval

**APPROVED**

49. **ORDINANCE REGULATING THE ENCROACHMENT OF CABLE AND VIDEO SERVICES IN THE CITY'S RIGHTS-OF-WAY, UP FOR F I R S T READING.**

Ordinance No. 5365

**APPROVED**, on First reading

50. **NOTATION FROM LAND USE CONTROL BOARD THAT THE FOLLOWING CASE WAS HEARD AND RECOMMENDATION MADE REQUESTING A DATE OF PUBLIC HEARING:**

A. Case No. PD 01-306 – County Gate P.D., Phase 10, Parcel 1

Public Hearing Set for June 22, 2010

**ROLL CALL CONSENT ITEMS**

MOTION: Ford  
SECOND: Boyd  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Lowery, Strickland, Ware and  
Chairman Collins  
Conrad, Hedgepeth and Morrison did not cast a vote

**APPROVED**

**MLGW FISCAL CONSENT – Items 8-21, may be acted upon by one motion:**

8. **RESOLUTION AWARDDING CONTRACT NO. 11398, BLANKET SOIL STABILIZATION, TO ECONOMIC EROSION CONTROL IN A FUNDED AMOUNT NOT TO EXCEED \$300,000.00.**

**APPROVED**

9. **RESOLUTION APPROVING CHANGE NO. 8 TO CONTRACT NO. 10765, PRIVATE LABEL SERVICE AGREEMENT, WITH ACLARA SOFTWARE IN THE FUNDED AMOUNT OF \$31,500.00. (THIS CHANGE COVERS THE ADDITION OF A RESIDENTIAL CARBON FOOTPRINT CALCULATOR MODULE TO MLGW'S MY ACCOUNT WEB TOOLS, WHICH INCLUDES THE INSERTION OF PROMOTIONS AND ONE CUSTOM RECOMMENDATION FOR INTERFACE WITH THE EXISTING MY ACCOUNT MODULES TO IMPORT CUSTOMER DATA. THIS CHANGE ALSO INCLUDES ALL FEES TO HOST THIS TOOL THROUGH DECEMBER 2012).**

**APPROVED**

10. **RESOLUTION APPROVING CHANGE NO. 23 TO CONTRACT NO. 10780, ELECTRIC CONSTRUCTION AND MAINTENANCE, WITH ALLIED ELECTRICAL CONTRACTORS, LLC IN THE FUNDED AMOUNT OF \$6,984.53, FOR A NEW CONTRACT VALUE OF \$22,538,595.75. (THIS COVERS PAYMENT OF WORK PERFORMED AS A RESULT OF THE STORM OF JANUARY 30, 2010).**

**APPROVED**

11. **RESOLUTION APPROVING CHANGE NO. 4 TO CONTRACT NO. 11105, AERATOR MAINTENANCE, WITH R. P. SERVICES IN THE FUNDED AMOUNT OF \$150,724.92. (THIS RENEWS THE CONTRACT FOR THE FOURTH AND FINAL RENEWAL TERM, AUGUST 1, 2010 TO JULY 31, 2011, WITH NO INCREASE IN RATES FROM THE PREVIOUS YEAR).**

**APPROVED**

12. **RESOLUTION AWARDDING CONTRACT FOR ONE CREW CAB AND CHASSIS WITH A TRUCK-MOUNTED HYDRAULIC CRANE TO H & E EQUIPMENT SERVICE IN THE AMOUNT OF \$178,368.55.**

**APPROVED**

13. **RESOLUTION AWARDDING CONTRACT FOR HEAVY EQUIPMENT (AERIAL TOWER BOOMS, DIGGER DERRICKS AND MINI-DIGGER DERRICKS), AS FOLLOWS:**

Diamond International Trucks.....\$836,207.00

Altec Industries, Inc..... 338,385.00  
Total..... \$1,174,592.00

**APPROVED**

14. **RESOLUTION AWARDDING CONTRACT FOR ONE SUBMERSIBLE PUMP TO ACTION CHEMICAL IN THE AMOUNT OF \$31,974.70.**

**APPROVED**

15. **RESOLUTION AWARDDING 24-MONTH CONTRACT FOR WEDGE TAP CONNECTORS TO H D SUPPLY IN THE AMOUNT OF \$527,045.57.**

**APPROVED**

16. **RESOLUTION AWARDDING 12-MONTH CONTRACT FOR GAS SERVICE REGULATORS TO ELSTER AMERICAN METER COMPANY IN THE AMOUNT OF \$70,329.00.**

**APPROVED**

17. **RESOLUTION AWARDDING CONTRACT FOR GAS DISTRIBUTION SYSTEM REPAIR SLEEVES TO M. T. DEASON COMPANY IN THE AMOUNT OF \$74,976.00.**

**APPROVED**

18. **RESOLUTION AWARDDING 36-MONTH CONTRACT FOR UNIFORM RENTAL SERVICES TO PARAMOUNT UNIFORM IN THE AMOUNT OF \$84,346.48.**

**APPROVED**

19. **RESOLUTION AWARDDING 48-MONTH CONTRACT FOR FLAME-RETARDANT CLOTHING TO TYNDALE COMPANY IN THE AMOUNT OF \$1,577,393.40.**

**APPROVED**

20. **RESOLUTION AWARDDING CONTRACT FOR VOICE SYSTEM UPGRADE TO BLACK BOX NETWORK SERVICES IN THE AMOUNT OF \$171,382.00.**

**APPROVED**

21. **RESOLUTION APPROVING PAYMENT OF ANNUAL SUBSCRIPTION TO ENERGY WORLDNET, INC. IN THE FUNDED AMOUNT OF \$35,270.00.**

**APPROVED**

**MLGW ROLL CALL CONSENT ITEMS**

MOTION: Fullilove  
SECOND: Ford  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Lowery, Strickland, Ware and  
Chairman Collins  
Conrad, Hedgepeth and Morrison did not cast a vote

**APPROVED**22. **APPOINTMENTS****Memphis Alcohol Commission****Appointment**

Sherman Greer

**Memphis Public Library and Information Center Board of Trustees****Reappointments**

Dorothy L. Boggan  
David Williams

**Memphis and Shelby County Music Commission****Appointments**

James Judge Booker  
Bevanne Bowers  
Melody L. Fly  
Nichole R. Robinson

**Reappointments**

Charley Burch  
Tonya D. Butler  
Michael Glenn  
Kris Kourdouvelis  
Antonio Parkinson  
Pat Kerr Tigrett

MOTION: Strickland  
SECOND: Boyd  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Lowery, Strickland, Ware and

Chairman Collins  
Conrad, Hedgepeth and Morrison did not cast a vote

**APPROVED**

MOTION: Ware – Suspend the Rules for the purpose of adding an item  
SECOND: Ford

**APPROVED**, rules suspended, item added below

**SPECIAL ITEM #1**

**RESOLUTION APPROPRIATING \$9,000,000.00 FUNDED BY G.O. BONDS WITH THE  
DIVISION OF COMMUNITY ENHANCEMENT ANTI-BLIGHT STRATEGY,  
PROJECT NUMBER CE01068 FOR EXPENSES RELATED TO SLUM AND BLIGHT.**

MOTION: Ware  
SECOND: Ford  
AYES: Boyd, Brown, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware and  
Chairman Collins  
Conrad, Flinn and Hedgepeth did not cast a vote

**APPROVED**, set up as Special Item #1

32. **ORDINANCE TO AMEND CHAPTER 2, ARTICLE IV, OF THE CODE OF  
ORDINANCES, SO AS TO ESTABLISH THE CITY OF MEMPHIS MINORITY  
BUSINESS DEVELOPMENT AND OVERSIGHT COMMISSION, UP FOR T H I R D  
AND F I N A L READING.**

Ordinance No. 5357

MOTION: Ford  
SECOND: Fullilove  
AYES: Boyd, Brown, Ford, Fullilove, Halbert, Lowery, Morrison, Ware and Chairman  
Collins  
Conrad, Flinn, Hedgepeth and Strickland did not cast a vote

**APPROVED**

33. **ORDINANCE TO AMEND CHAPTER 25, CODE OF ORDINANCES, CITY OF  
MEMPHIS, SO AS TO INCREASE THE CITY CONTRIBUTION ALLOWABLE  
UNDER SECTION 25-71 AND SECTION 25-171, UP FOR T H I R D AND F I N A L  
READING.**

Ordinance No. 5358

MOTION: Ford  
SECOND: Morrison

AYES: Boyd, Brown, Ford, Fullilove, Halbert, Lowery, Morrison, Ware and Chairman Collins  
NAYS: Strickland  
Conrad, Flinn and Hedgepeth did not cast a vote

**APPROVED**

34. **ORDINANCE TO INCREASE PENSION BENEFITS ALLOWABLE UNDER SECTION 25-95 AND SECTION 25-195, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5359

MOTION: Strickland  
SECOND: Fullilove  
AYES: Boyd, Brown, Ford, Fullilove, Halbert, Lowery, Morrison, Ware and Chairman Collins  
NAYS: Strickland  
Conrad, Flinn and Hedgepeth did not cast a vote

**APPROVED**

35. **ORDINANCE TO AMEND PREVIOUS ORDINANCE 4388, CODIFIED AS CITY CODE, TITLE 6, ARTICLE 6, SECTION 2-331(A), TO EXTEND THE SUNSET CLAUSE SET FORTH THEREIN UNTIL DECEMBER 31, 2010, UP FOR T H I R D AND F I N A L READING.**

Ordinance No. 5362

MOTION: Boyd  
SECOND: Morrison  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware and Chairman Collins  
Conrad and Hedgepeth did not cast a vote

**APPROVED**

36. **RESOLUTION ACCEPTING AND APPROPRIATING \$1,021,800.00 IN STATE IN-SERVICE TRAINING GRANT FUNDS FROM THE STATE OF TENNESSEE FOR THE DIVISION OF FIRE SERVICES FOR A TOTAL APPROPRIATION OF \$1,021,800.00.**

MOTION: Lowery  
SECOND: Morrison  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Ware and Chairman Collins  
Conrad, Hedgepeth and Strickland did not cast a vote

**APPROVED**

37. **RESOLUTION ACCEPTING AND APPROPRIATING \$1,072,700.00 IN FEDERAL GRANT FUNDS FROM THE DEPARTMENT OF HOMELAND SECURITY-FEMA FOR THE DIVISION OF FIRE SERVICES FOR A TOTAL APPROPRIATION OF \$1,072,700.00.**

MOTION: Lowery  
SECOND: Strickland  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and  
Chairman Collins  
Conrad, Hedgepeth and Lowery did not cast a vote

**APPROVED**

38. **RESOLUTION APPROPRIATING FUNDING FOR ORGANIZED CRIME UNIT DRUG FUNDS FOR FISCAL YEAR 2011 IN THE AMOUNT OF \$4,664,794.00.**

MOTION: Lowery  
SECOND: Fullilove  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Morrison, Strickland, Ware and  
Chairman Collins  
Conrad, Hedgepeth and Lowery did not cast a vote

**APPROVED**

39. **RESOLUTION ACCEPTING AND APPROPRIATING \$4,080.00 IN REVENUE FROM THE TENNESSEE DEPARTMENT OF SAFETY FOR USE OF PARKING SPACES AT THE BENJAMIN HOOKS CENTRAL LIBRARY BY EMPLOYEES OF THE STATE OF TENNESSEE DRIVER'S LICENSE RENEWAL OFFICE.**

MOTION: Ware  
SECOND: Boyd  
AYES: Boyd, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware and  
Chairman Collins  
Brown, Conrad and Hedgepeth did not cast a vote

**APPROVED**

52. **RESOLUTION ACCEPTING AND APPROPRIATING \$46,000.00 FROM THE STATE OF TENNESSEE TO PURCHASE LIBRARY BOOKS AND MATERIALS FOR THE MEMPHIS PUBLIC LIBRARY.**

MOTION: Ware  
SECOND: Strickland  
AYES: Boyd, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware and  
Chairman Collins  
Brown, Conrad and Hedgepeth did not cast a vote

**APPROVED**

41. **RESOLUTION AMENDING THE FY 2010 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$391,898.00 FUNDED BY G.O. BONDS (STORM WATER) FROM MAJOR DRAINAGE REHAB/REPLACE, PROJECT NUMBER ST03006, TO LICK CREEK JEFFERSON AVE, PROJECT NUMBER ST03120, FOR DRAINAGE REPAIR AND FOR A CONSTRUCTION CONTRACT WITH A & H CONTRACTORS.**

MOTION: Strickland

SECOND: Flinn

AYES: Boyd, Brown, Flinn, Ford, Halbert, Lowery, Morrison and Ware  
Collins, Conrad, Fullilove, Hedgepeth and Strickland did not cast a vote

**APPROVED**

42. **RESOLUTION AMENDING THE FY10 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$1,895,078.00 FUNDED BY FEDERAL GRANT FUNDS FROM AMERICAN RECOVERY AND REINVESTMENT ACT FROM ARRA REPAVING, PROJECT NUMBER PW01198 TO ARRA REPAVING GROUP-2, PROJECT NUMBER PW01204 AND FOR A CONSTRUCTION CONTRACT WITH LEHMAN ROBERTS.**

MOTION: Flinn – Any surplus funds shall be used for signs for bicycle safety or bicycle lanes

**APPROVED**, without objection

MAIN MOTION: Strickland

SECOND: Flinn

AYES: Boyd, Brown, Flinn, Ford, Fullilove, Lowery, Morrison, Strickland, Ware and Chairman Collins  
Conrad, Halbert and Hedgepeth did not cast a vote

**APPROVED**, as amended

43. **RESOLUTION AMENDING THE FY10 CAPITAL IMPROVEMENT BUDGET BY TRANSFERRING AN ALLOCATION AND APPROPRIATING \$1,998,777.00 FUNDED BY FEDERAL GRANT FUNDS FROM AMERICAN RECOVERY AND REINVESTMENT ACT FROM ARRA REPAVING, PROJECT NUMBER PW01198 TO ARRA REPAVING GROUP-5, PROJECT NUMBER PW01207 AND FOR A CONSTRUCTION CONTRACT WITH APAC – TENN.**

Chairman Collins recognized the following person who spoke from the audience:

Ward Kennedy, 461 S. Highland St., Apt. #2, Mphs, TN 38111



Kevin Pigott, 1934 Evelyn Ave., Mphs, TN 38104

MOTION: Flinn – Any surplus funds shall be used for signs for bicycle safety or bicycle lanes

**APPROVED**, without objection

MAIN MOTION: Strickland

SECOND: Flinn

AYES: Boyd, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland and Ware

NAYS: Chairman Collins

Brown, Conrad and Hedgepeth did not cast a vote

**APPROVED**, as amended

44. **RESOLUTION APPROPRIATING \$3,000.00 FOR THE PURPOSE OF PURCHASING AND INSTALLING CAMERAS, TO ALLOW LIVE STREAMING AND ARCHIVING OF COUNCIL COMMITTEE MEETINGS VIA THE MEMPHIS CITY COUNCIL WEBSITE.**

MOTION: Halbert

SECOND: Ford

AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland, Ware and Chairman Collins

Conrad and Hedgepeth did not cast a vote

**APPROVED**

46. **JOINT CITY/COUNTY RESOLUTION TO AMEND THE FY 2010 HOUSING & COMMUNITY DEVELOPMENT OPERATING BUDGET BY APPROPRIATING \$10,000.00 TO COVER THE COST OF THE PROMOTIONAL VIDEO FOR MEMPHIS AND SHELBY COUNTY.**

MOTION: Collins

SECOND: Flinn

AYES: Boyd, Brown, Flinn, Ford, Halbert, Lowery, Morrison, Ware and Chairman Collins

Fullilove recused

Conrad, Hedgepeth and Strickland did not cast a vote

**APPROVED**

## **MINUTES**

Approval of the Minutes of the regular meeting of June 8, 2010 for Items 48, 51, Special Item #1 and Item 52 with the following motion:

MOTION: Morrison  
SECOND: Flinn  
AYES: Boyd, Brown, Flinn, Ford, Fullilove, Halbert, Lowery, Morrison, Strickland,  
Ware and Chairman Collins  
Conrad and Hedgepeth did not cast a vote

**APPROVED**, set up as Special Item #2

**INTRODUCTION OF ITEMS ON MATTERS BY THE GENERAL PUBLIC:**

Chairman Collins recognized the following people who spoke from the audience:

Walter Broady III, 4256 Ledbetter Cove, Memphis, TN. 38109  
Gilda J. Williams, 84 Autumn Branch Lane, Mphs, TN 38109

**ADJOURNED MEETING AT 8:50 P.M.**

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Upon statement of the Chairman, without objection, the meeting was adjourned, subject to the call of the Chairman.

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C H A I R M A N

Attest:

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Deputy Comptroller/Council Records